



Date: November 1, 2012

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Agenda Item – Public Hearing for Improvement

Sidewalk on Grandale Drive (East Side) from Sedwick Road North
to Lyon Farm Drive

Executive Summary

Due to a sufficient petition being received for a sidewalk on a portion of Grandale Drive, an item appeared on the August 9, 2012 Work Session agenda for a public hearing to be held on August 20, 2012 to consider ordering the subject sidewalk. Concerns were raised by Council at the Work Session on how the sidewalk petition process works in conjunction with the Durham Walks! Pedestrian Plan and what the priorities for future sidewalk construction should be, as funding is extremely limited. The Grandale Drive sidewalk item was referred back to the Administration and direction was given to bring the item back to Council with additional information pertaining to sidewalks.

Recommendation

As Grandale Drive is the last sufficient petition received prior to Council adopting Resolution #9815 increasing the assessment rate for petitioned sidewalks, the Public Works Department recommends that City Council accept a Certificate of Sufficiency for the petition, adopt a preliminary resolution for the proposed improvement, conduct a public hearing to consider ordering the subject improvement, and adopt a resolution ordering the improvement.

Background

As a result of a sufficient petition being received for sidewalk on a portion of Grandale Drive, an item appeared on the August 9, 2012 Work Session agenda for a public hearing to be held on August 20, 2012, to consider ordering the subject sidewalk. However, the item was referred back to the Administration due to Council concerns regarding how the sidewalk petition process works in conjunction with the priorities established by the Durham Walks! Pedestrian Plan.

Due to the large amount of missing sidewalk in the city and the costs associated with constructing new sidewalks, the 2006 DurhamWalks! Pedestrian Plan included a process for prioritizing new sidewalk locations. In 2011, at the request of City Council, this process was modified and sidewalks were re-prioritized. A total of 235 street corridors were re-prioritized in 2011. Longer streets, such as Roxboro and Duke, were divided into smaller segments for the purpose of prioritization.

The sidewalk prioritization process looks at several factors for each street corridor, including the proximity of schools, transit, parks, and trails; the level of traffic; the amount of existing sidewalk; surrounding land use; safety need; and public support. The prioritization process is a tool that helps to determine in what order the city should construct sidewalks. The prioritization does not take into consideration other important factors, such as the availability of right-of-way, potential environmental constraints, or the degree of difficulty for construction.

Some of the petitioned sidewalks were analyzed as part of the DurhamWalks! plan, while others were not. In order to allow a more objective comparison of the petitioned sidewalks, they have all been scored using the DurhamWalks! criteria as shown in the attached list of petitioned sidewalks. As was done in the plan, the scoring typically analyzed a longer segment of the street, not just the area where new sidewalk has been petitioned.

As discussed during the August 9th Work Session, all petitioned sidewalks previously ordered by City Council are on a waiting list for construction, pending funding. When Council adopts a resolution ordering an improvement, the assessment rate is set even though the improvement may not occur until years later. These sidewalks were ordered at an assessment rate of \$5.00 per front foot. That rate was set in 1985.

At the direction of City Council at the November 10, 2011 Work Session, the Public Works Department studied the actual construction costs in our most recent contracts for new sidewalk installation in order to recommend a change in the assessment rate schedule. The average actual sidewalk construction cost was determined to be \$39.00 per front foot. Staff recommended basing the new sidewalk assessment rate on 90% of average actual costs to bring that rate more in line with how the current inside the City assessment rates for water and sewer mains are calculated. Subsequently, City Council adopted Resolution #9815 on May 7, 2012, increasing the assessment rate from \$5.00 to \$35.00 per front foot for sufficient sidewalk petitions received on or after June 1, 2012. Grandale Drive is the last sufficient sidewalk petition received prior to the rate increase going into effect. This section of Grandale Drive is ranked number 200 in the 2011 sidewalk corridor ranking.

Issues and Analysis

City Council allots funding annually through the CIP process for petitioned sidewalks. There is currently \$391,219.00 allotted for petitioned sidewalk construction. The Durham Walks! Pedestrian Plan has a separate funding source in the CIP under new sidewalk construction. There are currently ten petitioned sidewalks that have been ordered by City Council. These sidewalks are on a waiting list for construction, pending funding. The estimated construction cost of all ten sidewalks is \$582,450.00, based on the \$55.00 per foot figure used at the time of the ordering. The total estimated assessment is \$52,950.00, based on an assessment rate of \$5.00 per foot. Therefore, the estimated net cost to the City is \$529,500.00 for the current list of petitioned sidewalks that Council has previously ordered.

Due to extremely limited funding, prioritization of sidewalk construction is necessary. The best methodology for prioritization must be determined by City Council. There has been some discussion by Council as to whether or not the option of petitioning for a sidewalk should be discontinued, resulting in the Durham Walks! Plan being the sole source for sidewalk prioritization. As Council contemplates the matter, consideration should be given to the fact that the petitioned sidewalks already ordered by Council are the result of citizens

following procedures in place to have a sidewalk installed on their street, and many citizens have been waiting for several years in good faith for the sidewalk construction to occur as ordered. Construction of the existing petitioned sidewalks would allow the City to recoup \$5.00 per front foot of the construction costs, whereas sidewalk construction under the Durham Walks! Plan would result in the City absorbing 100% of the costs.

Alternatives

City Council may choose to order the sidewalk on Grandale Drive at the assessment rate in effect at the time the sufficient petition was received, which is \$5.00 per front foot. This alternative is in accordance with the resolution adopted by Council on May 7, 2012, and is the recommended alternative.

City Council may choose to not order the sidewalk at the old rate but allow the petition to be reissued at the current rate of \$35.00 per front foot.

City Council may choose to take some other action, such as ending the petition process for sidewalks.

Financial Impacts

The cost of installing a sidewalk on this portion of Grandale Drive is estimated to be \$42,900.00. The estimated assessment is \$5,500.00, resulting in a net cost to the City of \$37,400.00. Funding for this project is subject to appropriations into the Petition Sidewalk account on an annual basis.

SBDE Summary

This section is not applicable to this item.